

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

JERRY LAZA

Plaintiff,

V.

**CITY OF PALESTINE, MIKE ALEXANDER,
RONALD STUTES, DOUG SMITH, WILL
BRULE, STEVE PRESLEY, MITCHELL
JORDAN, VICKEY CHIVERS, LARISSA
LOVELESS, JOE BAXTER, DANA
GOOLSBY, AND ANN CONNER**

Defendants

[illegible]

**CIVIL ACTION
NO. 6:17-cv-00533-JDK
JURY DEMANDED**

STATUS REPORT

1. The parties hereby jointly submit the following Status Report to the Court in compliance with the Court's Order of September 22, 2023 (Doc. 116), which requires the parties to file a Status Report regarding the status of the State Court Appeal (Texas State Court of Appeals for Sixth Appellate District in Texarkana, Texas, Appellate No. 06-18-00051-cv). The Court ordered the parties to address the issue of whether the present case should remain stayed in this Court.
2. In response to the Court's Order, the parties would show that Plaintiff Laza's Appeal remains active, and is now pending before the United States Supreme Court. The Docket Sheet from the Sixth Court of Appeals (attached hereto as Exhibit "A") shows the history of Laza's Appeal before that Court. A Memorandum Opinion was issued by the Sixth Court of Appeals on August 18, 2022 (see Exhibit "B" attached). Following the issuance of the Court's Memorandum Opinion, Plaintiff-Appellant Laza filed a Motion

for Rehearing on August 31, 2022. The Motion for Rehearing was denied by the Sixth Court of Appeals on December 5, 2022.

3. Plaintiff-Appellant Laza then filed a Petition for Review with the Texas Supreme Court, as shown on the Docket Sheet from the Texas Supreme Court. (see Exhibit “C” attached hereto). The Petition for Review was subsequently denied by the Texas Supreme Court on March 31, 2023. Plaintiff Laza filed a Motion for Rehearing on May 9, 2023 which was denied by the Texas Supreme Court on June 16, 2023. On June 19, 2023 a Mandate was issued by the Sixth Court of Appeals.
4. Plaintiff-Appellant Laza then filed an application for an extension of time within which to file a Petition for a Writ of Certiorari with the Supreme Court of the United States. On September 14, 2023 Plaintiff-Appellant Laza was notified by Lisa Nesbitt, Case Analyst, that his time within which to file a Petition for a Writ of Certiorari had been extended to and including October 16, 2023. (see Exhibit “D” attached hereto).
5. In light of the events outlined in the preceding paragraphs, and in anticipation that Plaintiff-Appellant Laza will timely file a Petition for a Writ of Certiorari with the United States Supreme Court, the parties agree that the present case should remain stayed at this time. Counsel for the parties will continue to monitor the status of the above referenced Appeal, and will notify the Court upon receiving confirmation that the Appellate process has concluded.

Respectfully submitted,

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/s/ Lance Vincent

By: _____

LANCE VINCENT

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